

May 19, 2004

DIANA PHILLIPS  
12303 HARBOUR PT BLVD C208  
MUKILTEO WA 98275

Subject: Complaint filed against Citizens Campaign Committee – PDC Case No. 04-291

Dear Ms. Phillips:

The Public Disclosure Commission staff has completed its investigation of your complaint received October 24, 2003, alleging that Citizens Campaign Committee: 1) failed to timely register with the PDC, an alleged violation of RCW 42.17.040; 2) failed to timely file reports of contributions and expenditures, an alleged violation of RCW 42.17.080 and .090; and 3) accepted a contribution in excess of \$5,000 from one source within 21 days of the 2003 general election, an alleged violation of RCW 42.17.105.

PDC staff reviewed your complaint in light of the following statutes:

**RCW 42.17. 040** requires political committees to register with the PDC on form C-1pc within two weeks of organizing or of first having the expectation of receiving contributions or making expenditures in any election campaign, whichever is earlier. Committees that organize within three weeks before an election are required to file the C-1pc within three business days.

**RCW 42.17.080 and .090** require political committees to file timely, accurate reports of contributions and expenditures, including mandatory reports due 21 and 7 days before each election in which the committee is supporting or opposing a candidate or ballot measure.

**RCW 42.17.105** states that no political committee may accept contributions from one source that exceed \$5,000 in the aggregate within 21 days of a general election.

You alleged that Citizens Campaign Committee failed to file the C-1pc registration statement within three business days of organizing.

- We found that Citizens Campaign Committee organized on October 6, 2003, more than three weeks prior to the 2003 general election. The C-1pc filing submitted by the Committee on October 14, 2003, was a timely registration.

You alleged that Citizens Campaign Committee failed to timely file reports of contributions and expenditures, including C-4 reports you alleged were due on October 10, 2003 and October 14, 2003, and a C-3 report disclosing a contribution deposit made on October 10, 2003 for \$16,000.

We found that:

- The C-4 report due on October 10, 2003 covered the period of September 9, 2003, through September 30, 2003. The Committee was not registered, did not receive contributions or make expenditures during this period, and was thus not required to file this monthly C-4 report.
- The C-4 report due on October 14, 2003 was the 21-day pre-general election report, covering the period of September 9, 2003, through October 7, 2003. The Committee was organized for two days of this period and was required to file the report. However, the Committee had no contribution or expenditure activity during the two days of this reporting period that it was in existence.
- The Committee deposited \$16,000 on October 10, 2003 and made repeated unsuccessful attempts to electronically file a C-3 report for this deposit between October 10 and October 14, the date the committee filed its C-1pc registration statement. The Committee was unable to electronically file any reports (in compliance with its electronic filing requirement) until October 15<sup>th</sup>, the date its registration, signature authorization, and electronic filing passwords had been received and processed by PDC staff. The C-3 for \$16,000 was filed five days later on October 20, 2003. While this C-3 was filed five days late, the lateness is mitigated by the fact that the Committee attempted to file the report as soon as the deposit was made, and because the report was filed 14 days before the 2003 general election. Thus, no enforcement is warranted in this instance.

Finally, you alleged that Citizens Campaign Committee accepted a contribution in excess of \$5,000 from one source within 21 days of the 2003 general election.

- We found that the contribution in question, a \$10,000 contribution from Patrick Echelbarger, was incorrectly reported as having been received on October 20, 2003, within 21 days of the 2003 general election. Prior to the filing of your complaint, the Committee corrected its reports to show that this contribution was received on October 13, 2003, outside of the 21-day period. The Committee stated that the \$10,000 contribution from Mr. Echelbarger was received October 13<sup>th</sup> and was part of a \$25,000 deposit made on October 14<sup>th</sup>. Bank statements provided by the Committee confirm that a deposit of \$25,000 was made on this date. Although the Committee maintained that the \$10,000 contribution was received outside the 21-day period, to mitigate the appearance of a violation, the Committee refunded \$5,000 of Mr. Echelbarger's contribution on October 23, 2003.

Diana Phillips  
PDC Case #04-291, Citizens Campaign Committee

After a careful review of the alleged violations and relevant facts, we have concluded our investigation and, with the concurrence of the Vice Chair of the Public Disclosure Commission, acting on behalf of the Chair, I am dismissing your complaint against Citizens Campaign Committee.

If you have questions, please contact Phil Stutzman, Director of Compliance, at (360) 664-8853 or toll-free at 1-877-601-2828 or by e-mail at [pstutzman@pdc.wa.gov](mailto:pstutzman@pdc.wa.gov).

Sincerely,

Vicki Rippie  
Executive Director

c: Pamela Pruitt, Citizens Campaign Committee